

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office SEP 20 2005

Returned to applicant for correction _____

Corrected application filed _____

Map filed APR 28 2004 under 71091

The applicant **Springer Mining Company** hereby makes application for permission to change the **Point of Diversion and Place of Use of a Portion** of water heretofore appropriated under **Permit No. 42464**

1. The source of water is **Underground**
2. The amount of water to be changed **0.1036 cfs – 75.00 acre feet per annum**
3. The water to be used for **Milling, Mining and Domestic**
4. The water heretofore permitted for **Milling, Mining and Domestic**
5. The water is to be diverted at the following point **within the SE ¼ SE ¼ of Section 17, T.33N., R.36E., M.D.M., or at a point from which the southeast corner of said Section 17 bears South 77°21'33" East a distance of 1274.32 feet. See map supporting Application 71091.**
6. The existing permitted point of diversion is located within **the SE ¼ NW ¼ of Section 31, T.34N., R.35E., M.D.M., or at a point from which the NW corner of said Section 31, bears North 37°33'20" West, a distance of 2957.95 feet. See map supporting Application 42464**
7. Proposed place of use **within Section 17, T.33N., R.36E., M.D.M. A maximum of 640 acres within the above described section which is being developed as a mine site.**
8. Existing place of use **Section 35, T.34N., R.34E., M.D.M. See map supporting Permit No. 42464.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works. **Existing drilled & cased well, equipped with motor & pump.**
12. Estimated cost of works **\$100,000.00**
13. Estimated time required to construct works **Existing**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks: **This application would allow temporary use of a portion of the mining and milling rights under Permit 42464 at the mine being developed at the site under Application 71091. Please see the maps supporting 42464 and 71091 for existing and proposed points of diversion and places of use.**

By s/George G. Lindesmith
George G. Lindesmith
1925 E. Prater Way
Sparks, Nevada 89434

Compared sg/dr lb/ gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 42464 is issued subject to the terms and conditions imposed in said Permit 42464 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

This temporary permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on January 16, 2007 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

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(Permit Terms Continued)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.1036 cubic feet per second, but not to exceed 75 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 17th day of January A.D. 2006



State Engineer



